

Application No. 09/811,528
Amendment dated: December 7, 2004

Remarks/Arguments

A request for a one month extension of time has been entered under separate cover.

15 claims remain standing in the application. Applicant has amended claim 1 to include the limitation of claim 4, and has cancelled claim 4. Applicant has amended claim 9. Claim 10 has been allowed. Applicant has amended claim 11 to include language similar to that of cancelled claim 4. Applicant has amended claim 16 to include the limitation of claim 17, and has cancelled claim 17. Claims 1 – 3, and 5-16 remain pending in the application.

The Examiner objected to Figure 1 under 37 CFR 1.84(p)(5) because Figure 1 did not include reference signs used in the description. Applicant has amended Figure 1 to include reference numerals 50, 52, 54, 66, 56, 58, 60, 62, 68, 68, 138, 144 and 70. Applicant has further amended the specification to note that clock controller 146 and timestamp extractor 140 are not shown in Figure 1. It is submitted that no new information has been added by way of this amendment. Applicant submits that in view of this amendment, Figure 1 complies with 37 CFR 1.84(p)(5).

The Examiner objected to Figure 2 under 37 CFR 1.84 (p)(5) because Figure 2 presents a "Yes" output to a non-option statement. Applicant has amended Figure 2 to remove the offending output label. It is submitted that no new information has been added by way of this amendment. Applicant submits that in view of this amendment, Figure 2 complies with 37 CFR 1.84(p)(5).

The Examiner objected to Figure 3 under 37 CFR 1.84(p)(5) because Figure 3 fails to explain two options to the block 114. Applicant has amended the figure to duplicate the "Yes" label beside block 108, which was intended to apply to the yes output of block 114, and has moved the "No" label from its original location beside block 108 to a location closer to block 114. It is submitted that no new information has been added by way of this amendment. Applicant submits that in view of this amendment, Figure 3 complies with 37 CFR 1.84(p)(5).

In view of the above-described amendments to the drawings and description, the Examiner's objection to the drawings under 37 CFR 1.84(p)(5) should be withdrawn.

Applicant has made the requested amendment to the Abstract, and submits that the Abstract is now in compliance with MPEP 608.01(b).

Application No. 09/811,528
Amendment dated: December 7, 2004

The Examiner rejected claims 1, 3, and 5-9 under 35 USC 102(e) as being anticipated by US Patent No. 6,389,547 to James. The Examiner further rejected claim 2 under 35 USC 103 (a) as being obvious in view of James and US Patent No. 6,356,567 to Anderson. In the interests of expediting prosecution, Applicant has amended claim 1 to include the limitation of claim 4, which the Examiner indicated would be considered allowable if re-written in independent form. Applicant submits that, as amended, claim 1 is allowable, and requests that the rejection under 35 USC 102(e) be withdrawn.

As claims 2, 3, 5-9 all depend, either directly or indirectly from claim 1, and as such include all the limitations of claim 1, Applicant submits that they are allowable, and requests that the rejections under 35 USC 102(e) and 35 USC 103(a) be withdrawn.

Claim 9 has been amended so that its preamble recites "The method of ..." as opposed to "A method of....".

The Examiner indicated that claim 10 is allowable. Applicant has not amended claim 10.

The Examiner rejected claims 11-15 under 35 USC 102(e) as being anticipated by James. In the interests of expediting examination, Applicant has amended claim 11 to include language that the Examiner has otherwise considered allowable. Applicant has amended claim 11 so that it recites the presence of a fault counter for counting a number of faults, and so that the clock controller is claimed as being connected to the fault counter and "for determining a difference between the derived time values and the time value of the internal clock, for adjusting the fault counter if the determined difference exceeds a timing threshold, and for digitally modifying the internal clock time value, in response to the timestamp derived time value when the fault timer exceeds a fault threshold." Applicant submits that the amendments to claim 11 are fully supported by the specification as filed as the language added to claim 11 is similar to the language of claim 4 prior to it being cancelled. Applicant submits that the Examiner already acknowledged that none of the cited references teach the matter added to claim 11, and as such claim 11 is neither anticipated nor obvious. As such, Applicant submits that claim 11, as amended, is patentable, and requests that the rejection under 35 USC 102(e) be withdrawn.

Application No. 09/811,528
Amendment dated: December 7, 2004

As claims 12-15 all depend, either directly, or indirectly, from claim 11, and as such include the limitations of claim 11, Applicant submits that they are allowable, and requests that the rejections under 35 USC 102(e) be withdrawn.

The Examiner rejected claim 16 under 35 USC 102(e) as being anticipated by James. In the interests of expediting examination, Applicant has amended claim 16 to include the limitations of claim 17, which the Examiner indicated would be allowable if rewritten in independent form. Applicant submits that in view of this amendment, the rejection of claim 16 under 35 USC 102(e) should be withdrawn.

Applicant has amended claims 1, 11 and 16, while canceling claims 4 and 17. Applicant submits that in view of the amendments, all claims still pending are patentable in view of James and Anderson, either alone or in combination.

Applicant has submitted a request for a one month extension of time under separate cover on today's date. No additional fee is believed due for this submission. However, Applicant authorizes the Commissioner to debit any required fee from Deposit Account No. 501593. The Commissioner is further authorized to debit any additional amount required, and to credit any overpayment to the above-noted deposit account.

Applicant submits that the application is in condition for allowance, and earnestly solicits action to that end.

Respectfully submitted,
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